

# Law Offices of Albert Wai-Kit Chan, LLC

World Plaza, Suite 604, 141-07 20th Avenue • Whitestone, NY 11357 • USA  
Tel: (718) 799-1000 • Fax: (718) 357-8615 e-mail: chank@kitchanlaw.com

RECEIVED  
CENTRAL FAX CENTER

FACSIMILE TRANSMISSION  
PLEASE DELIVER THE FOLLOWING PAGES

SEP 29 2005

TO : EXAMINER PAUL C. MARTIN: ART UNIT 1655  
COMPANY : UNITED STATES PATENT AND TRADEMARK OFFICE  
FAX NO. : 571-273-8300  
FROM : ALBERT WAI-KIT CHAN/ss  
APPLICATION NO. : 11/131,551  
RE : GARY K. SCHWARTZ FOR SCREENING, QUANTITATION AND IDENTIFICATION OF ACTIVE INGREDIENTS IN NATURAL PRODUCTS. U.S. SERIAL NO. 10/693,301, FILED OCTOBER 24, 2003, CLAIMING PRIORITY OF U.S. SERIAL NO. 60/421,411 FILED OCTOBER 25, 2002 - OUR DKT. #702-A-US

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET : 13

DATE : September 29, 2005

\* IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE TO (718) 799-1000.

Message

Applicant : Gary K. SCHWARTZ File No.: 702-A-US  
Client : Memorial Sloan Kettering Cancer Center  
Date : September 29, 2005

COMMUNICATION IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION AND ALTERNATIVELY, AMENDMENT IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION for Gary K. SCHWARTZ for SCREENING, QUANTITATION and IDENTIFICATION OF ACTIVE INGREDIENTS IN NATURAL PRODUCTS, including Exhibit A (3 pages) and Exhibit B (1 page).

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL UNDER THE CLIENT AND ATTORNEY RELATIONSHIP. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU

Dkt. #702-A-US

RECEIVED  
CENTRAL FAX CENTERIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 29 2005

Applicant : Gary K. SCHWARTZ      Examiner: Paul C. Martin  
 U.S. Serial No.: 10/693,301      Art Unit: 1655  
 Filed : October 24, 2003  
 For : SCREENING, QUANTITATION AND IDENTIFICATION  
 OF ACTIVE INGREDIENTS IN NATURAL PRODUCTS

Law Offices of Albert Wai-Kit Chan, LLC  
 World Plaza, Suite 604  
 141-07 20th Avenue  
 Whitestone, NY 11357

September 29, 2005

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO THE AUGUST 29, 2005 OFFICE ACTION  
 AND ALTERNATIVELY, AMENDMENT IN RESPONSE TO THE AUGUST 29, 2005  
OFFICE ACTION**

This Communication is being submitted in response to the August 29, 2005 Office Action, issued by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. A response to this Office Action is due on September 29, 2005. Accordingly, this Communication is being timely filed. Alternatively, if the Examiner is not persuaded by the Applicant's argument for withdrawal of the August 29, 2005 restriction requirement, Applicant respectfully requests that this Communication be treated as an Amendment.

## Claim Amendment Fee Calculation

	Claims remaining after amendment		Highest No. Previously Paid	Present Extra	Rate (Small Entity)	Additional Fee
Total	10	Minus	22	0	X \$25.00	\$0.00
Ind.	1	Minus	11	0	X \$100.00	\$0.00